

REMARKS

Applicants respectfully request reconsideration of this application.

Independent Claim 1

The rejections under 35 USC 102 can all be withdrawn. Claim 1 has been amended to include the subject matter previously presented in claim 6. Claim 6 was only rejected under 35 USC 103.

There is no *prima facie* case of obviousness against claim 1 as presented above. The proposed combination of Rivera and Matsui cannot be made. First, the Matsui reference teaches a railway track of a linear motor car for inducing an electric driving force for such a motor car (col. 1, lines 10-13). Such a structure is nothing like an elevator system guide rail as there is no induced electric driving force on a guide rail used to propel the elevator car along the rail. Instead, a separate machine causes movement of the elevator car. There is no concern that an elevator system guide rail will be subject to the stresses and behaviors found in the kind of system that Matsui discusses. Therefore, the teachings of Matsui are inapposite and the reference is non-analogous art.

Moreover, the proposed combination does not provide a result consistent with Applicants' claim 1. There is no insulating layer in the Matsui reference that comprises a fiber mesh and there is no suggestion in either reference for including such an insulating layer. The Examiner's suggestion for why one would look to Matsui to imagine a reason for including an insulating layer is not based on the references or anything other than Applicants' disclosure and claims. The concerns raised in Matsui, as discussed above, are not present in an elevator system and, therefore, there is no basis for assuming that one of skill in the art would consider the concerns raised in Matsui when considering how to modify Rivera. Even if those concerns were somehow relevant to an elevator guide rail, there is nothing that in anyway suggests such an insulating layer or its purpose. There is no *prima facie* case of obviousness.

Independent Claim 8

Claim 8 has been clarified to indicate that the bonding agent adhesively secures the second material to the nose portion. The rejections under 35 USC 102 can all be withdrawn. The mechanical structures pointed to by the Examiner as allegedly corresponding to a "bonding agent" do not have any adhesive properties. Instead, the grooves and flanges in the cited

references rely upon mechanical connections that do not adhesively secure the pieces together. There is no *prima facie* case of anticipation against claim 8.

Claim 19, although currently withdrawn from consideration, has similar limitations and is allowable for the same reasons.

Independent Claim 10

Claim 10 has been clarified to indicate that the first material is exposed along the remainder of the guiding surfaces of the nose portion. The Rivera reference includes an overlay 116 that covers over the joints 122 along the guide rail structure on all of the engagement surfaces. The overlay 116 does not leave any of the engagement surfaces on the nose portion uncovered. The overlay 116 has to cover all of those surfaces to eliminate interaction between a guide and the joints 122. There is no *prima facie* case of anticipation.

It is not possible to modify the arrangement of Rivera to only cover the braking surfaces because that would leave the joints 122 exposed along the guiding surfaces. Such a modification would entirely defeat the intended result of the Rivera reference. Therefore, it is impossible to modify the Rivera reference in an attempt to somehow cobble together an alleged *prima facie* case of obviousness against claim 10.

Independent Claim 13

Claim 13 has been clarified to indicate the relationship between the obliquely oriented portions of the rail. There is no such relationship within the Richter reference and the rejection of claim 13 should be withdrawn. The running surfaces 20 in the Richter reference are not parallel and not on opposite sides of a nose portion that is obliquely oriented relative to a generally planar base.

Claim 20, although withdrawn from consideration, has similar limitations and is allowable for the same reasons.

Independent Claim 14

Although claim 14 is currently withdrawn from consideration, it has been amended to include the subject matter previously presented in claim 17. Nothing in the references in any suggests the method of claim 14. Applicants respectfully submit that this claim can be considered now and that it is allowable.

Applicants respectfully request that the restriction requirement be withdrawn and all claims be allowed. At a minimum, the claims currently under consideration must be allowed.

Respectfully submitted,
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